IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.835 OF 2006

Asha Vishwas Gharat & Ors. ..Applicants.

V/s

The State of Maharashtra
Through Murbad Police Station ..Respondent.

Mr. S.J. Patil for the applicants.

Ms. S.D. Shinde, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 1st March, 2006

P.C:

1. Heard the learned Counsel for the applicants and the learned APP for the State.

2. The applicants have an apprehension that they are likely to be arrested in connection with the C.R. No.127 of 2006 registered at Murbad Police Station for the offence punishable under section 147, 148, 149, 323, 326, 504, 506 of the Indian Penal Code. The applicant Nos. 1 to 3 are Anganwadi School Teachers and the applicant No.4 is a retired teacher. A meeting of the Grampanchayat was held for the purpose of discussing various topics particularly relating to the School. The said meeting started at 2.00 P.M. A sarpanch was present in the meeting. However, during

the course of discussion some altercation took place between the sarpanch and the other villagers. It is alleged that at this point of time the sarpanch - accused No.1 rushed to his house and brought a sword and assaulted one Kaburam Gharat. It is alleged that the applicants pelted stones.

3. It is submitted that the applicant Nos. 1 to 4 were attending the said meeting since the question of Anganwadi School was going to be discussed in the said meeting. It is submitted that they did not share the intention of accused No.1 who suddenly rushed to his house and brought a sword and attacked one of the villagers.

4. I have perused the complaint. the applicants 1 to 3 are women and the applicant No.4 is a retired teacher and is a senior citizen who had received Adarsha Shikshak Award. There was obviously an enmity between the two groups in the village. The possibility of false implication of the applicants cannot be ruled out. The presence of the applicants can be explained since the meeting was held for discussing the subject relating to the Anganwadi School.

5. In these circumstances, prima facie case is made out for grant of an anticipatory bail. The applicants in the event of their arrest in respect of the C.R. No. 127 of 2006 lodged with the Murbad Police Station for the offence punishable under section 147, 148, 149, 323, 326, 504, 506 of the Indian Penal Code, be released on bail in the sum of Rs 5000/- each with one or two sureties in the like amount each. The applicants shall co-operate with the Investigating Officer. They shall report to the concerned Police Station for a period of one week from 11.00 a.m to 5.00 p.m. and, thereafter, once in a month.

6. Application is accordingly disposed of.

V.M. KANADE, J.